

EXHIBIT “B”

Fauvie, Lori L.

From: Campbell, David A.
Sent: Tuesday, February 20, 2007 10:25 AM
To: Jason Ehrenberg
Cc: Fauvie, Lori L.
Subject: RE: Pagonakis v. Express



Dear Jason:

I write to confirm our telephone conversation of this morning. We agreed to re-schedule the 30(b)(6) deposition until March. We will provide you with Ms. Rock's availability in March. We understand that you are not available the week of March 5th. You agreed to provide us with a more specific list of topics for the deposition.

With respect to the remaining outstanding discovery issue (re: complaints of FMLA violations and disability discrimination), you agreed that the time frame of 2002-2004 is acceptable. You also agreed that limiting the geographical scope of the request to the region under the decision maker's supervision would be acceptable and will end the discovery dispute. We agreed to investigate what states constitute this region. We believe that Ana Klancic was the ultimate decision maker, but we will nonetheless, if this will end this matter, investigate and provide you what states constitute Ms. Kessler's region. You agreed that if we can reach an agreement as to the proper geographical area, this will end this issue.

On another note, I have two follow up issues from Plaintiff's continued deposition of February 19, 2007. During her deposition, Plaintiff indicated that she still has the electronic version of the typed notes, which you provided to us on January 26, 2007. We request that you provide us with the electronic Word documents of these notes. Plaintiff also indicated that she is continuing to take notes. If Plaintiff is claiming that she is continuing to be damaged as a result of Express' alleged actions, then we request that you provide us a copy of these notes as they would be directly relevant to the issue of damages.

Thank you.

-- David A. Campbell.